

IN RE: PETITION FOR ZONING VARIANCE  
E/S Sussex Road, 692.57' S of  
the c/l of Hyde Park Road  
(1425 Sussex Road)  
15th Election District  
5th Councilmanic District  
George Hagerman, Jr., et ux  
Petitioners

\* BEFORE THE  
\* DEPUTY ZONING COMMISSIONER  
\* OF BALTIMORE COUNTY  
\* Case No. 91-317-A

#### FINDINGS OF FACT AND CONCLUSIONS OF LAW

The Petitioners herein request a variance to permit a front yard setback of 15 feet in lieu of the required 25 feet, a rear yard setback of 10 feet in lieu of the required 30 feet, and a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling in accordance with Petitioner's Exhibit 1.

The Petitioner appeared, testified and was represented by John B. Gontrum, Esquire. Also appearing on behalf of the Petition was William Rafitis, Professional Engineer. There were no Protestants.

Testimony indicated that the subject property, known as 1425 Sussex Road, consists of .2499 acres more or less zoned D.R. 5.5 and is presently vacant. Said property is located within the Chesapeake Bay Critical Areas near Muddy Gut Creek. Petitioners purchased the subject property in December 1990 with the intention of constructing a single family dwelling thereon. Due to the width of the subject lot and the original orientation of the proposed dwelling, Petitioners were advised to file the instant Petition and submitted the site plan marked Petitioner's Exhibit 2. As a result of comments submitted by the Office of Planning and changes to Petitioners' plans, Petitioners have modified the site plan and reoriented the proposed dwelling as set forth on Petitioner's Exhibit 1 so that the original front and rear yard setback requests are no longer

needed; however, the variance as to lot width requirements is still required. Petitioners contend the relief requested will not result in any detriment to the health, safety or general welfare of the surrounding community and to deny same would create practical difficulty for them as they are unable to acquire the required additional 5 feet. Petitioners further agreed to comply with the comments submitted by the Department of Environmental Protection and Resource Management (DEPRM) dated April 5, 1991. Further, by inter-office correspondence dated April 9, 1991, the Deputy Director of the Office of Planning indicated that the revised plans have met their concerns regarding deck orientation and landscaping.

After due consideration of the testimony and evidence presented, in the opinion of the Zoning Commissioner, the relief requested sufficiently complies with the requirements of Sections 307.1, 307.2 and 500.14 of the Baltimore County Zoning Regulations (B.C.Z.R.) and should therefore be granted. There is no evidence in the record that the subject variance would adversely affect the health, safety, and/or general welfare of the public. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship upon the Petitioner.

The facts and evidence presented tend to establish that special conditions or circumstances exist which are peculiar to the land or structures located within the Chesapeake Bay Critical Areas of Baltimore County; that to deny the relief requested would result in practical difficulty, unreasonable hardship, or severe economic hardship upon the Petitioner; and that strict compliance with the Chesapeake Bay Critical Area requirements and the B.C.Z.R. would deprive the Petitioner of rights commonly enjoyed by other properties in similar areas within the Chesapeake Bay Critical Areas in Baltimore County. The granting of the relief requested

will not confer upon the Petitioner any special privilege that would be denied by the critical area regulations to other lands or structures within the Chesapeake Bay Critical Areas. Clearly, the request is not based upon conditions or circumstances which are the result of the Petitioner's actions, nor does the request arise from a condition relating to land or building use, either permitted or non-conforming, on another property. The relief requested is in harmony with the general spirit and intent of the Critical Areas legislation for Baltimore County and conforms to the requirements as set forth in Section 500.14 of the B.C.Z.R.

In accordance with Section 500.14 of the B.C.Z.R., the Director of the Department of Environmental Protection and Resource Management has submitted recommendations which describe what steps the Petitioner must take to insure that the relief requested complies with the following Chesapeake Bay Critical Areas requirements to:

- 1) Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have run off from surrounding lands;
- 2) Conserve fish, wildlife, and plant habitat; and
- 3) Be consistent with established land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that, even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts.

These recommendations shall be attached hereto and become a permanent part of the decision rendered in this case. There is no evidence in the record that the relief requested would adversely affect the health, safety, and/or general welfare of the public provided there is compliance with the requirements of the Department of Environmental Protection and Resource Management as more fully described below.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the relief requested should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this 6th day of May, 1991 that the Petition for Zoning Variance to permit a lot width of 50 feet in lieu of the required 55 feet for a proposed dwelling, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED, subject, however to the following restrictions which are conditions precedent to the relief granted:

- 1) The Petitioners may apply for their building permit and be granted same upon receipt of this Order; however, Petitioners are hereby made aware that proceeding at this time is at their own risk until such time as the 30-day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioners would be required to return, and be responsible for returning, said property to its original condition.

IT IS FURTHER ORDERED that the Petitioner shall comply fully and completely with all requirements and recommendations of the Department of Environmental Protection and Resource Management, as set forth in their comments dated April 5, 1991, attached hereto and made a part hereof.

IT IS FURTHER ORDERED that the Petition for Zoning Variance to permit a front yard setback of 14 feet in lieu of the required 25 feet and a rear yard setback of 10 feet in lieu of the required 30 feet, be and is hereby DISMISSED.

AMN:bjs

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

ORDER RECEIVED FOR FILING  
Date 5/14/91  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 5/14/91  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 5/14/91  
By [Signature]

ORDER RECEIVED FOR FILING  
Date 5/14/91  
By [Signature]

#### PETITION FOR ZONING VARIANCE TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 1802.3C1 to permit a front yard of 14' in lieu of required 25'.  
to permit a rear yard of 10' in lieu of required 30', to permit a lot width of 50' in lieu of the required 55'.

I, or we, agree to pay expenses of above Variance advertising, posting, etc. upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

I/We do solemnly declare and affirm, under the penalties of perjury, that I/we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:  
(Type or Print Name)

Signature

Address

City and State

Attorney for Petitioner:

Legal Owner(s):

(Type or Print Name)

Signature

(Type or Print Name)

Address

City and State

Address

City and State

Name, address and phone number of legal owner, contract purchaser or representative to be contacted

Name

Address

City and State

ORDERED By The Zoning Commissioner of Baltimore County, this 10th day of May, 1991, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 9th day of April, 1991, at 2 o'clock P.M.

ORDER RECEIVED FOR FILING  
Date 5/14/91  
By [Signature]

(over)

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

May 6, 1991

John B. Gontrum, Esquire  
814 Eastern Boulevard  
Baltimore, Maryland 21221

RE: PETITION FOR ZONING VARIANCE  
E/S Sussex Road, 692.57' S of the c/l of Hyde Park Road  
(1425 Sussex Road)  
15th Election District - 5th Councilmanic District  
George Hagerman, Jr., et ux - Petitioners  
Case No. 91-317-A

Dear Mr. Gontrum:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Zoning Variance has been granted in part and dismissed in part in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact Ms. Charlotte Radcliffe at 887-3391.

Very truly yours,

ANN M. NASTAROWICZ  
Deputy Zoning Commissioner  
for Baltimore County

AMN:bjs

cc: Chesapeake Bay Critical Areas Commission  
Towson State Office Bldg., D-4, Annapolis, Md. 21404

DEPRM

People's Counsel

File

Baffis & Associates, Inc.

ZONING DESCRIPTION  
1425 SUSSEX ROAD

Beginning at a point on the east side of Sussex Road which is a variable width right-of-way at the distance of 692.57 feet south of the centerline of HYDE PARK ROAD which is 50 feet wide. Thence the following courses and distances:

North 55°15'47" East, 218.15 feet; South 34°38'00" East, 50.00 feet; South 55°15'47" West, 210.38 feet; North 43°23'00" West, 50.50 feet to the place of beginning.

Being Lot 153, in the subdivision of HYDE PARK, as recorded in Baltimore County Plat Book No. 9, at Folio 59, containing 10.678 square feet of 0.2451 acres of land, located in the 15th Election District of Baltimore County, Maryland.



William N. Baffis, P.E.  
Md. Reg. No. 11641

#### CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Towson, Maryland

District: 15th Date of Posting: 3/24/91  
Posted for: 1425 Sussex Road  
Petitioner: George Hagerman, Jr., et ux  
Location of property: E/S Sussex Road, 692.57' S of Hyde Park Rd.  
Location of Sign: 1425 Sussex Rd. near 28th St.  
Remarks: On property of Petitioner  
Posted by: [Signature] Date of return: 3/24/91  
Number of Signs: 1

#### CERTIFICATE OF PUBLICATION

TOWSON, MD., 3-19-91

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County, Md., once in each of 1 successive weeks, the first publication appearing on 3-14-91.

THE JEFFERSONIAN,

S. Zehe, Publisher

\$ 37.52

**NOTICE OF HEARING**  
The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building located at 111 West Chesapeake Avenue in Towson, Maryland 21204 as follows:  
Case Number: 91-317-A  
Hyde Park Road  
1425 Sussex Road  
15th Election District - 5th Councilmanic  
Petitioner(s): George Hagerman, Jr., et ux  
HEARING: TUESDAY, APRIL 9, 1991 AT 2:00 P.M.  
Variance to permit a front yard of 14 ft. in lieu of required 25 ft.; to permit a rear yard of 10 ft. in lieu of required 55 ft.; to permit a lot width of 50 ft. in lieu of the required 66 ft.  
J. Robert Haines  
Zoning Commissioner of Baltimore County

**The Times**  
Middle River, Md., Mar 15 1991  
This is to Certify, That the annexed Case No 91-317  
104 0111183  
was inserted in The Times, a newspaper printed and published in Baltimore County, once in each of one successive weeks before the 15th day of March, 1991  
Joe P. ... Publisher.  
\$17.06

MICROFILMED

**Baltimore County Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: R-001-6150  
Number

Date: 1-18-91

1-18-91

PUBLIC HEARING FEES  
OTL  
PRIME  
1-18-91  
1-18-91  
1-18-91

LAST NAME OF OWNER: HAGERMAN  
M. MICROFILMED

04A04W0061MICHRC  
Please Make Checks Payable To: Baltimore County 111-18A01-18-91 \$35.00

Cashier Validation

**Baltimore County Zoning Commissioner**  
County Office Building  
111 West Chesapeake Avenue  
Towson, Maryland 21204

Account: P-001-6150  
Number

Date: 91-317

91-317

04A04W0061MICHRC  
Please Make Checks Payable To: Baltimore County 111-18A01-18-91 \$70.58

Cashier Validation

MICROFILMED

**Baltimore County Government**  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

DATE: 3/26/91

Mr. & Mrs. George Hagerman, Jr.  
1436 Galena Road  
Baltimore, Maryland 21221

RE:  
Case Number: 91-317-A  
E/S Sussex Road, 692.57' S of c/l Hyde Park Road  
1425 Sussex Road  
15th Election District - 5th Councilmanic  
Petitioner(s): George Hagerman, Jr., et ux  
HEARING: TUESDAY, APRIL 9, 1991 at 2:00 p.m.

Dear Petitioner(s):

Please be advised that \$ 79.58 is due for advertising and posting of the above captioned property.

THIS FEE MUST BE PAID AND THE ZONING SIGN & POST SET(S) RETURNED ON THE DAY OF THE HEARING OR THE ORDER SHALL NOT ISSUE. DO NOT REMOVE THE SIGN & POST SET(S) FROM THE PROPERTY UNTIL THE DAY OF THE HEARING.

Please make your check payable to Baltimore County, Maryland. Bring the check and the sign & post set(s) to the Zoning Office, County Office Building, 111 W. Chesapeake Avenue, Room 113, Towson, Maryland fifteen (15) minutes before your hearing is scheduled to begin.

J. Robert Haines  
ZONING COMMISSIONER  
BALTIMORE COUNTY, MARYLAND

MICROFILMED

**Baltimore County Government**  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

February 22, 1991

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County will hold a public hearing on the property identified herein in Room 106 of the County Office Building, located at 111 W. Chesapeake Avenue in Towson, Maryland 21204 as follows:

Case Number: 91-317-A  
E/S Sussex Road, 692.57' S of c/l Hyde Park Road  
1425 Sussex Road  
15th Election District - 5th Councilmanic  
Petitioner(s): George Hagerman, Jr., et ux  
HEARING: TUESDAY, APRIL 9, 1991 at 2:00 p.m.

Variance to permit a front yard of 14 ft. in lieu of required 25 ft.; to permit a rear yard of 10 ft. in lieu of required 30 ft.; to permit a lot width of 50 ft. in lieu of the required 55 ft.

J. Robert Haines

J. ROBERT HAINES  
Zoning Commissioner of Baltimore County

cc: Mr. & Mrs. George Hagerman, Jr.  
Bafitis & Associates, Inc.

MICROFILMED

**Baltimore County Government**  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

March 29, 1991

Mr. & Mrs. George Hagerman  
1436 Galena Road  
Baltimore, MD 21221

RE: Item No. 285, Case No. 91-317-A  
Petitioner: George Hagerman, et ux  
Petition for Zoning Variance

Dear Mr. & Mrs. Hagerman:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Enclosed are all comments submitted from the members of the Committee at this time that offer or request information on your petition. If similar comments from the remaining members are received, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on the date of the enclosed filing certificate and a hearing scheduled accordingly.

IT WOULD BE APPRECIATED IF YOU WOULD RETURN YOUR WRITTEN COMMENTS TO MY OFFICE, ATTENTION JULIE WINIARSKI. IF YOU HAVE ANY QUESTIONS REGARDING THIS, PLEASE CONTACT HER AT 887-3391.

Very truly yours,  
James E. Oyer  
Chairman  
Zoning Plans Advisory Committee

JED:jw

Enclosures

MICROFILMED

**Baltimore County Government**  
Zoning Commissioner  
Office of Planning and Zoning

111 West Chesapeake Avenue  
Towson, MD 21204

887-3353

Your petition has been received and accepted for filing this 30th day of January, 1991.

J. Robert Haines  
ZONING COMMISSIONER

Received By:  
James E. Oyer  
Chairman,  
Zoning Plans Advisory Committee

Petitioner: George Hagerman, et ux  
Petitioner's Attorney:

MICROFILMED

**BALTIMORE COUNTY, MARYLAND**  
INTER-OFFICE CORRESPONDENCE

TO: J. Robert Haines  
Zoning Commissioner

DATE: February 15, 1991

FROM: Pat Keller, Deputy Director  
Office of Planning and Zoning

SUBJECT: George Hagerman, Sr., Item No. Item 285

In reference to the petitioner's request for a variance, staff offers the following comments:

To adequately review the applicant's request, this office requires the following information:

1. An architectural drawing of the house indicating the placement of windows and how the windows would relate to 1423 Sussex.
2. Show the orientation of 1423 Sussex.
3. Provide a schematic landscape plan.

In lieu of the current orientation, staff recommends re-orienting the house to the street. This would eliminate the need for future variances, since the size of the rear yard essentially precludes the location of any addition or accessory structure.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3211.

PK/JL/cmm  
ITEM285/ZAC1

MICROFILMED

**Baltimore County Government**  
Department of Public Works  
Bureau of Traffic Engineering

401 Bosley Avenue Suite 405  
Towson, MD 21204

887-3554  
Fax 887-5784

February 14, 1991

Mr. J. Robert Haines  
Zoning Commissioner  
County Office Building  
Towson, Maryland 21204

Dear Mr. Haines:

The Bureau of Traffic Engineering has no comments for items number 278, 279, 280 282, 283 284, 285, 286, and 287.

Very truly yours,  
Michael S. Flanigan  
Traffic Engineer Associate II

MSF/lvd

received  
3/1/91





700 East Joppa Road, Suite 901  
Towson, MD 21204-5500

(301) 887-4500

JANUARY 28, 1991

J. Robert Haines  
Zoning Commissioner  
Office of Planning and Zoning  
Baltimore County Office Building  
Towson, MD 21204

RE: Property Owner: GEORGE HAGERMAN, JR.  
Location: #1425 SUSSEX ROAD  
Item No.: 285 Zoning Agenda: JANUARY 29, 1991

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

7. The Fire Prevention Bureau has no comments at this time.

REVIEWER: *John Kelly* 1/28/91 Noted and Approved: *John Kelly* 1/28/91  
Planning Group Fire Prevention Bureau  
Special Inspection Division

JK/BER

received  
1/30/91

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: Zoning Administrator DATE: February 4, 1991

FROM: J. Robert Haines, Zoning Commissioner

RE: Zoning Administrator's Office Meeting  
For January 29, 1991

The Development Department has reviewed the subject zoning petition and the comments for Items 279, 279A, 280, 281, 282, and 283.

For Item 285, the Planning and Zoning Department comments are still pending.

For Item 285, the Planning and Zoning Department comments are still pending.

*John Kelly*  
Special Inspection Division

RMB:en

received  
2/5/91

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Mr. J. Robert Haines  
Zoning Commissioner

DATE: April 5, 1991

FROM: Mr. J. James Dieter

SUBJECT: Petition for Zoning Variance - Item 285  
Hagerman Property  
Chesapeake Bay Critical Area Findings  
91-317-A

RECEIVED  
APR 9 1991

ZONING OFFICE

SITE LOCATION

The subject property is located at 1425 Sussex Road. The site is within the Chesapeake Bay Critical Area and is classified as a Limited Development Area (LDA).

APPLICANT'S NAME Mr. and Mrs. George Hagerman Jr.

APPLICANT PROPOSAL

The applicant has requested a variance from section 1802.3C1 of the Baltimore County Zoning Regulations "to permit a front yard of 14 feet in lieu of required 25 feet; to permit a rear yard of 10 feet in lieu of required 30 feet; to permit a lot width of 50 feet in lieu of the required 55 feet."

GOALS OF THE CHESAPEAKE BAY CRITICAL AREA PROGRAM

In accordance with the Chesapeake Bay Critical Area Program, all project approvals shall be based on a finding which assures that proposed projects are consistent with the following goals of the Critical Area Law:

1. "Minimize adverse impacts on water quality that result from pollutants that are discharged from structures or conveyances or that have runoff from surrounding lands;
2. Conserve fish, wildlife and plant habitat; and
3. Establish land use policies for development in the Chesapeake Bay Critical Area which accommodate growth and also address the fact that even if pollution is controlled, the number, movement, and activities of persons in that area can create adverse environmental impacts."

<COMAR 14.15.10.01.0>

Memo to Mr. J. Robert Haines  
April 15, 1991  
Page 2

REGULATIONS AND FINDINGS

1. Regulation: "A minimum 100 foot buffer shall be established landward from the mean high water line of tidal waters, tidal wetlands, and tributary streams" <Baltimore County Code Sec. 22-213(a)>.

Finding: This property is located approximately 1000 feet from the tidal waters of Back River. No disturbance of the shoreline buffer shall occur.

2. Regulation: "No dredging, filling, or construction in any wetland shall be permitted. Any wetland must be adequately protected from contamination" <Baltimore County Code Sec. 22-98>.

Finding: No tidal or non-tidal wetlands were found on this site, or in the vicinity of the site, therefore no filling of wetlands shall occur.

3. Regulation: "The sum of all man-made impervious areas shall not exceed 15% of the lot" <COMAR 14.15.02.04 C.(7)>.

Finding: This project proposes impervious surfaces that include a house and an existing shed. The driveway is proposed to be porous and shall be made of gravel underlain with filter cloth. The proposed impervious surfaces do not exceed the 15% limit. Additional impervious surfaces shall not be permitted if they exceed the 15% limit.

4. Regulation: "If no forest is established on proposed development sites, these sites shall be planted to provide a forest or developed woodland of at least 15%" <COMAR 14.15.02.04 C.(5)>.

Finding: This project proposes to replace 5 trees that have already been cleared from the site. These trees shall be selected from the enclosed list of large trees and planted in addition to existing vegetation to provide a 15% forested cover.

Trees are an important factor in improving water quality. The roots of trees greatly improve the infiltration rate of storm water and efficiently remove nitrogen from subsurface flows of groundwater. Trees also act as both a barrier and a sponge, blocking and absorbing eroding soils and the phosphorous associated with them.

5. Regulation: "The stormwater management system shall be designed so that:

(1) Development will not cause downstream property, watercourses, channels or conduits to receive stormwater runoff at a higher rate

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO: Owen Stephens,  
Zoning Office

Date: February 26, 1991

FROM: David C. Flowers

SUBJECT: Zoning Hearing - Item 285

The Chesapeake Bay Critical Area Program requests an extension for the review of the zoning variance petition for 1425 Sussex Road. Additional information is necessary to complete a Critical Area Findings for this property. For further information contact Ms. Nancy Sanford at 887-2904.

*David C. Flowers*  
David C. Flowers, Coordinator  
Chesapeake Bay Critical Area Program

DCF:NSS:rb

cc: Mrs. Janice Outen  
Mr. William Bafitis  
Mr. George Hagerman, Jr.

RECEIVED  
APR 11 1991  
ZONING OFFICE

RECEIVED  
ZONING OFFICE

Baltimore County Government  
Zoning Commissioner  
Office of Planning and Zoning



111 West Chesapeake Avenue  
Towson, MD 21204

887-3553

March 15, 1991

George Hagerman, Jr.  
1436 Galena Road  
Baltimore, Maryland 21221

Re: Item #285...Case #91-317-A  
George Hagerman, et ux  
1425 Sussex Road

Dear Mr. Hagerman

By correspondence dated February 27, 1991 from Mr. David Flowers, Coordinator for the Chesapeake Bay Critical Area Program (DEPRM), a formal request has been made to allow Mr. Flowers' staff a 30 day extension to review the above matter. Once the request is made, extension is automatic.

As you know, this case has been scheduled to be heard on April 9, 1991, a date beyond the 30 day extension. This letter is written to advise of the following:

a) If you have not contacted DEPRM and ascertained what you can and/or must do to assist in obtaining a timely and favorable review, please do so today at 887-2904.

b) At this time, the scheduled date of April 9, 1991 will not be postponed. If written DEPRM comments are not completed by said date, this office will conduct a pre-hearing discussion to determine if the matter will go forward.

c) A representative from Mr. Flowers' will appear to verbally argue (1) the need for further review and postponement of the hearing or, (2) the perspective that written comments are merely a formality, in the process of being typed, all Critical Area requirements having been outlined to the Petitioner and those requirements are and/or will be satisfied.

Should the matter be postponed, it will not be reset until we receive written verification from you stating that the DEPRM review has been completed.

Very Truly Yours,

*Owen Stephens*  
Owen Stephens

Memo to Mr. J. Robert Haines  
April 5, 1991  
Page 3

than would have resulted from a ten year frequency storm if the land had remained in its predevelopment state;

(2) Infiltration of water is maximized throughout the site, rather than directing flow to single discharge points; and

(3) Storm drain discharge points are decentralized to simulate the predevelopment hydrologic regime.

(4) There is sufficient storage capacity to achieve water quality goals of COMAR 14.15 and to eliminate all runoff caused by the development in excess of that which would have come from the site if it were in its predevelopment state" <Baltimore County Code, Section 22-217(h)>.

Findings: This project proposes to collect rooftop runoff and direct it to a drywell. Soil information indicates that the property has a very high water table and may not be suitable for a drywell. If these soil conditions preclude the use of a drywell, then French drains with the overflow directed across vegetated areas may be substituted.

CONCLUSION

The Zoning Variance shall be conditioned so the project proposal is in compliance with the Chesapeake Bay Critical Area Regulations and Findings listed above. This proposed project is in compliance with Chesapeake Bay Critical Area Regulations and is therefore approved. If there are any questions, please contact Mr. David C. Flowers at 887-2904.

*John Dieter*  
J. James Dieter, Director  
Department of Environmental Protection  
and Resource Management

JJD:DCF:ju  
Attachment

cc: Mr. Ronald B. Hickernell  
The Honorable Vincent Gardina  
The Honorable Donald Mason  
Mrs. Janice B. Outen  
Mr. William Bafitis  
Mr. George Hagerman Jr.

DATE: March 15, 1971

BALTIMORE COUNTY, MARYLAND  
INTER-OFFICE CORRESPONDENCE

TO: DAVID FLOWERS  
COORDINATOR, CHESAPEAKE BAY CRITICAL AREA PROGRAM

FROM: J. ROBERT HAINES  
ZONING COMMISSIONER

SUBJECT: ITEM # 285, CASE #91-317-A

Attached please find a copy of our letter forwarded this date to Mr. Hagerman regarding the above subject matter. You will note, that should the need arise, someone from your office must appear on April 9, 1991. Their appearance is imperative.

This procedure is a response to the surrounding community's right to know the status of the instant case. If the matter must be rescheduled for a later date, frustration will be eased if they are openly informed why.

PLEASE PRINT CLEARLY

**PETITIONER(S) SIGN-IN SHEET**

91-312

NAME \_\_\_\_\_

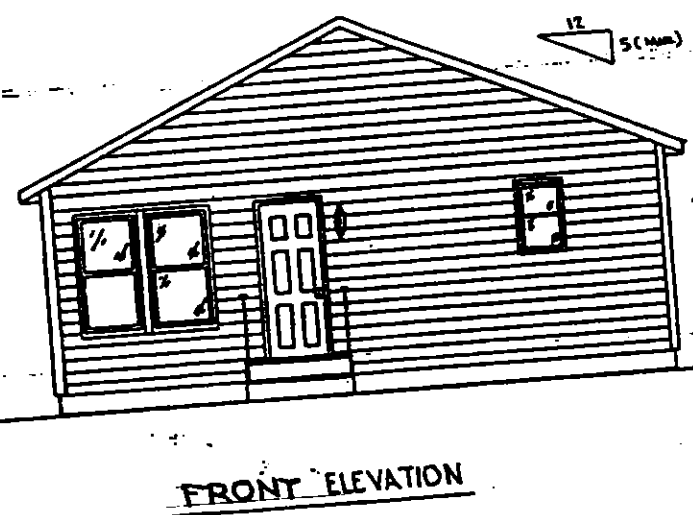
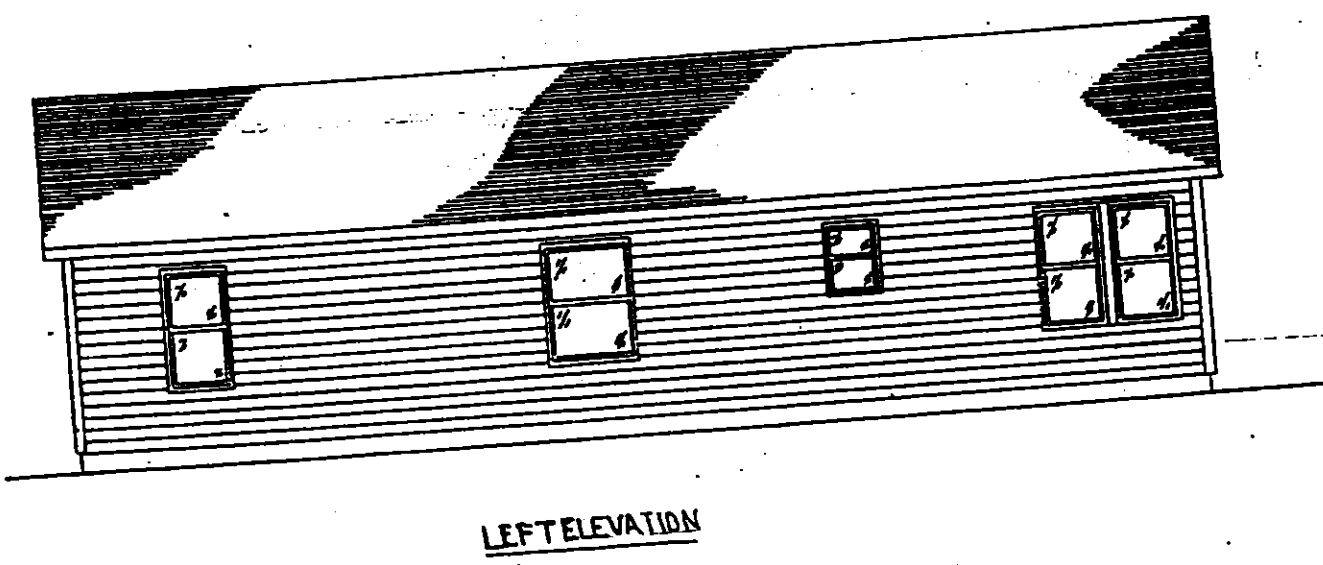
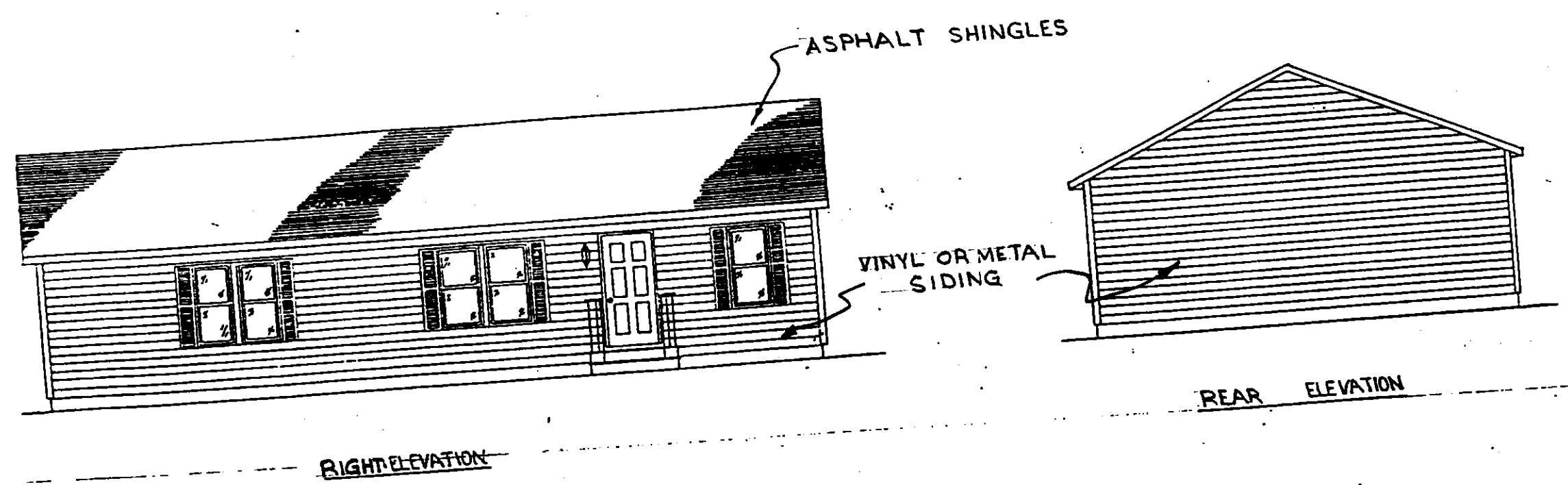
**ADDRESS**

GEORGE HAZEN  
George Hazen -  
WILLIAM PRATT

1436 GARDEN'S Rd.  
KOHIMATI RD. N.Y.V.  
1247 FINKELBARTH Rd.

[illegible]

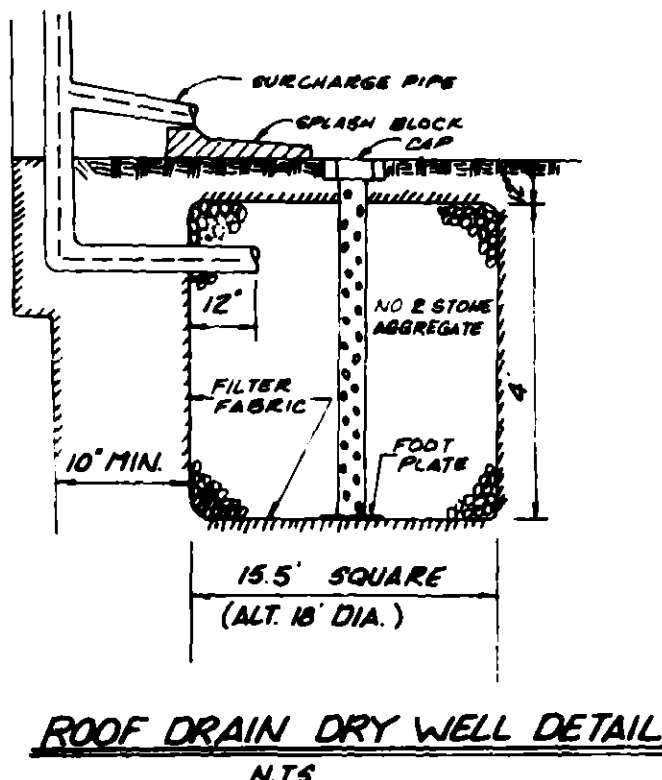
**PETITIONER'S  
EXHIBIT**



ALL DIMENSIONS MUST BE FIELD  
VERIFIED BY THE CONTRACTOR.  
PROGRESSIVE ENGINEERING, INC.  
SHALL NOT BE RESPONSIBLE FOR  
ANY DIMENSIONAL DISCREPANCIES  
WHICH HAVE NOT BEEN BROUGHT  
TO THEIR ATTENTION PRIOR  
TO CONSTRUCTION.

1. All exterior lights on field or perimeter of field.
2. All exterior lights on buildings pertaining to the shelter and/or builder.
3. Gutters and downspouts by owner.
4. Shutters are standard on front only.
5. Basement windows by owner.
6. All exterior lights on factory building on field installed.
7. All aluminum siding for right and left ends is shipped loose for field installation.
8. The bottom row of lap shipped on front and rear is shipped loose for field installation.
9. Siding with starter strip shipped along with aluminum siding for foundation fill plate.
10. Roof is a blazed system (5/16 min.) roofing system completion.
11. Footings, foundations and steel are field installation.
12. Designed for a Snow Load of 40 PSF minimum with ceiling at 20' or less.
13. Blazed rafts from owner to be installed on house and field installed.

SCHULT HOMES CORP.	
TITLE: MODEL # 323 RANCH	
DESC: ELEVATION	
SCALE:	DRAWN BY:
DATE:	C.L.S. PAGE:
QTR. NO.	REV.
MODEL # 323 (PG-3A)	A

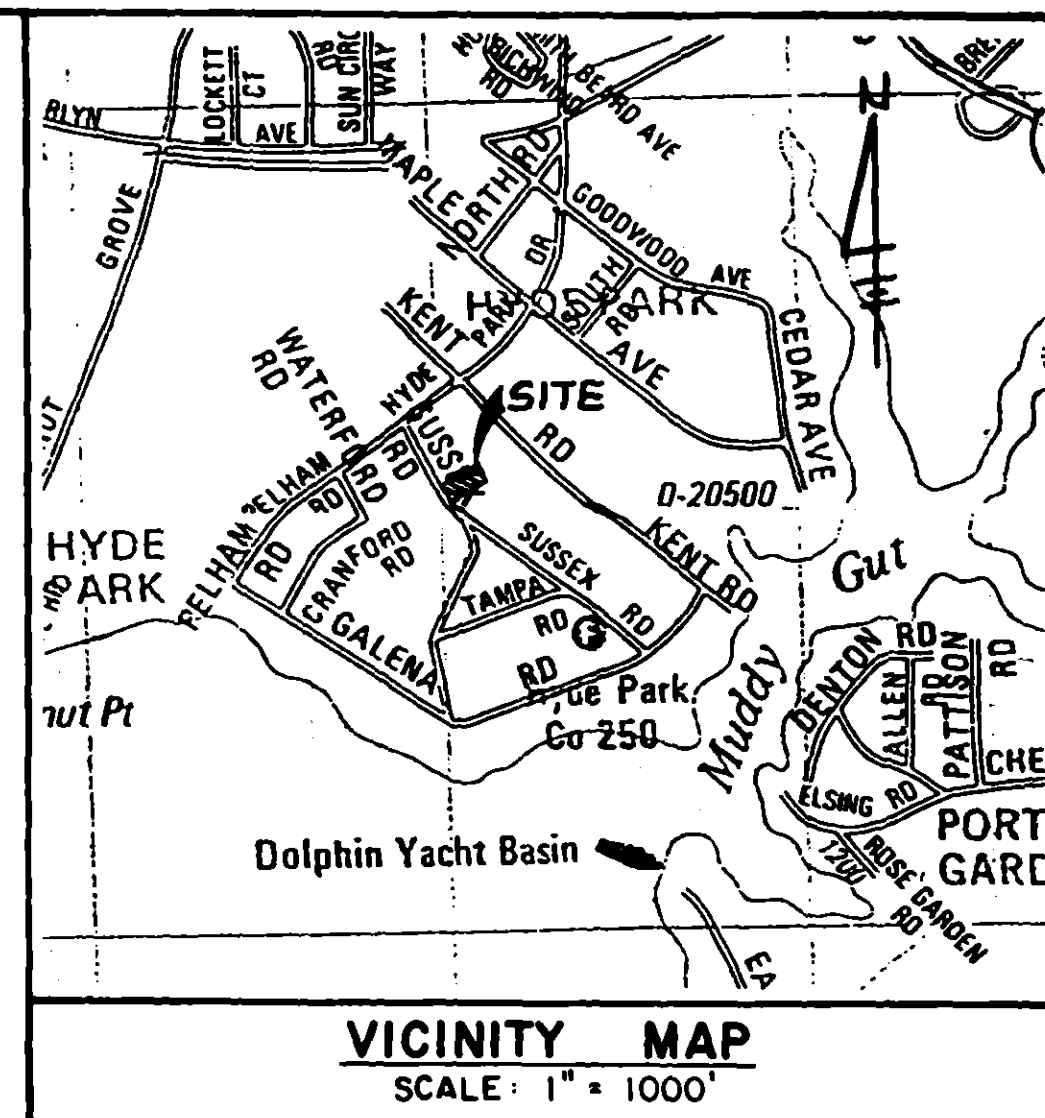


TYPE	SERIES	W/BASEMENT	W/O BASEMENT	STREETS AND PARKING LOTS	GROUP TYPE
LMB	Lensitt Silt Clay	Severe high water table somewhat poor natural drainage	Severe high water table somewhat poor natural drainage	Severe high water table somewhat poor natural drainage slope	"B"

LMB 0' to 4.5' deep

Note: Entire site is situated within the LMB soil type



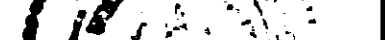
PROPOSED LANDS AFFECTED  
ELAR TREES & ACORAL REEF  
WITH FISH AND FOREST  
ESTABLISHMENT MANAL



1. Owner: George & Patsy Hagerman  
1436 Galena Road  
Baltimore, Maryland 21221  
Telephone: (301) 687-8924
2. Property Address: 1425 Sunser Road  
Baltimore, County 21221
3. Deed Reference: 7477/097 (New Deed Available  
Recording)
4. Tax Map No.: 97  
Parcel: 287
5. Plat: Plat of Hyde Park 9/59
6. Tax Account No.: 1519910141
7. Census Tract: 4511
8. Election District: 15th
9. Councilmanic District: 5th
10. Site Area: 10,713.3 S.F. + 0.2459 Acres ±
11. Existing Zoning: DR 5.5
12. Existing Use: Vacant
13. Proposed Zoning: DR 5.5
14. Proposed Use: Residential
15. Watershed: 21
16. Subwatershed: 39
17. Total Impervious Area  
Proposed Dwelling (26' x 52') 1352 S.F.  
Existing Shed (10' x 8') 80 S.F.  
Total Impervious Area 1432 S.F.
18. Total Area Site 10,713 S.F.  
154 Maximum Impervious 1606.95 S.F.
- Total Disturbed Area 4,000 S.F. ±
19. Total Number of Lots: 1
20. Total Number of Dwellings: 1

**EXHIBIT**  
Battis & Associates, Inc.  
William Battis, P.E.  
301-301-2336  
Civil Engineers / Land Planners / Surveyors  
1249 Engleberth Rd., Baltimore, Md. 21221

**PLAN TO ACCOMPANY VARIANCE HEARING  
AND CRITICAL AREA FINDINGS  
FOR  
\*1425 SUSSEX ROAD  
ZONING HEARING ITEM 285  
BALTIMORE COUNTY, MARYLAND**

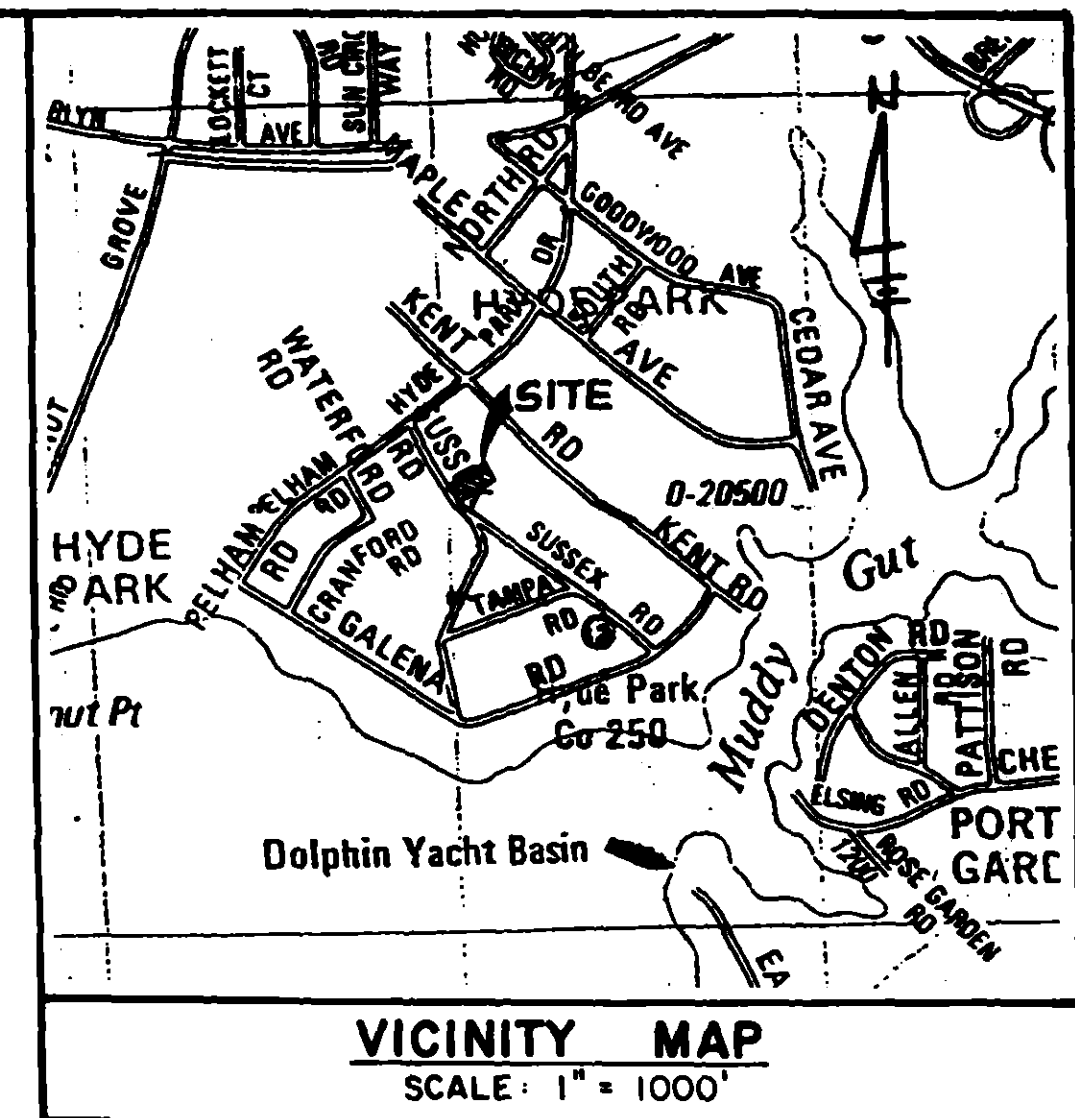
		<b>SCALE</b> 1" = 20'
		<b>JOB ORDER NO.:</b> 90060
		<b>DATE</b> JAN. 16, 1991
WIL. LIAM N. BAFFIS, P.E. 	SHEET 1 OF 1	
Revised Per DEPRM if Planning Comments Added Decks to # 1425, Plantings, Notes & Title Landscaping Note		4/4/91 4/9/91
NO	REVISIONS	DATE

LEGEND

BRL - BUILDING RESTRICTION LINE

ZONING CASE NO 91-317-A





**NOTES**

1. Boundary shown hereon was taken from plat of Hyde Park.
2. Topography shown hereon was field run.
3. This site is not situated within the Chesapeake Bay Critical Area.

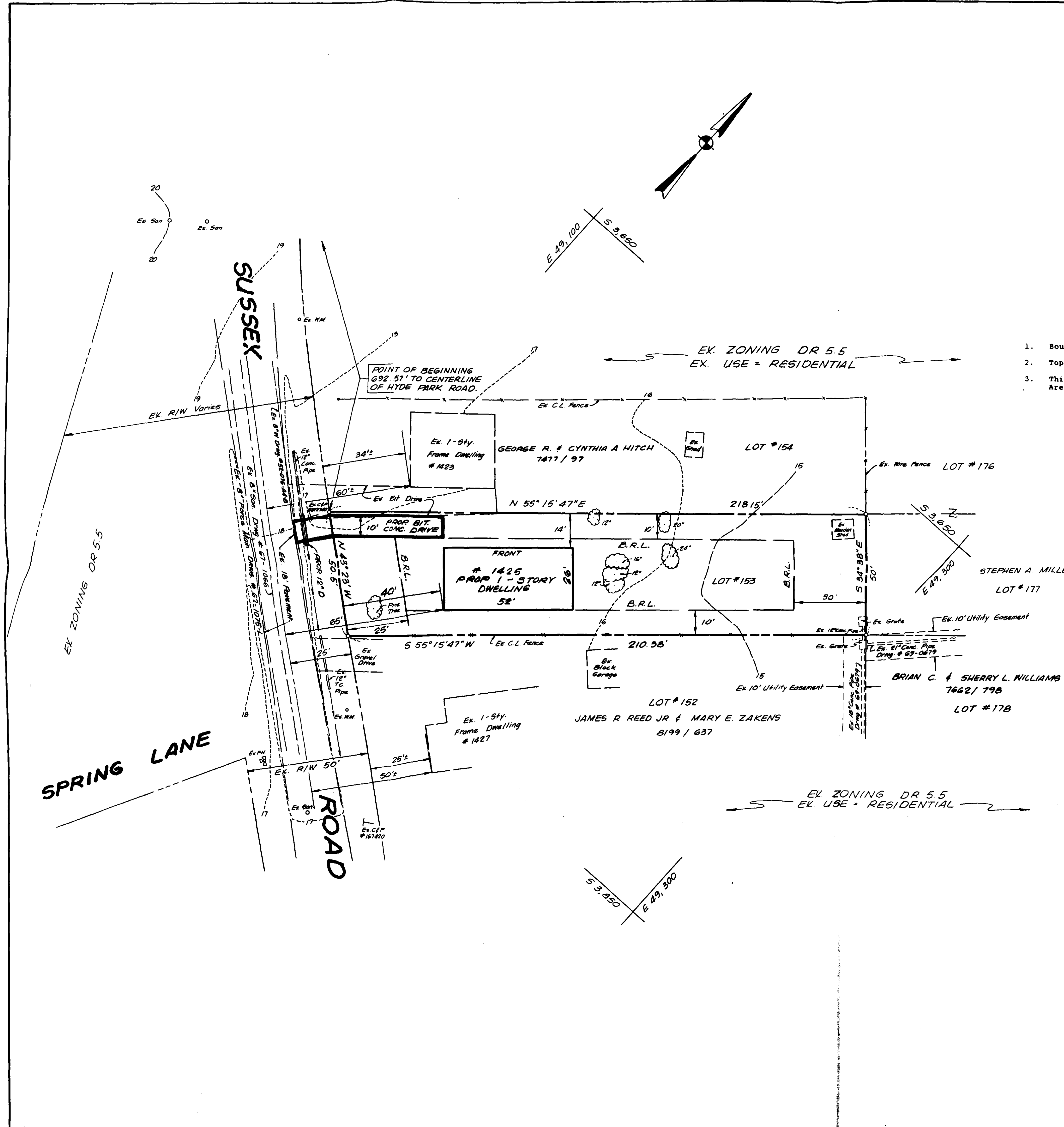
**SITE DATA**

1. **Owner:** George & Faye Hagerman  
1436 Galena Road  
Baltimore, Maryland 21221  
Telephone: (301) 687-8924
2. **Property Address:** 1425 Sussex Road  
Baltimore, County 21221
3. **Deed Reference:** 7477 / 097 (New Deed Awaiting Recording)
4. **Tax Map No.:** 97  
**Parcel:** 287
5. **Plat:** Plat of Hyde Park 9/59
6. **Tax Account No.:** 1519910141
7. **Census Tract:** 4511
8. **Election District:** 15th
9. **Councilmanic District:** 5th
10. **Site Area:** 10,713.3 S.F. ± = 0.2459 Acres ±
11. **Existing Zoning:** DR 5.5
12. **Existing Use:** Vacant
13. **Proposed Zoning:** DR 5.5
14. **Proposed Use:** Residential
15. **Watershed:** 21
16. **Subwatershed:** 39

**91-317-A**  
**PETITIONER'S**  
**EXHIBIT**

		William N. Baftis, P.E. 301-301-2336	
Civil Engineers / Land Planners / Surveyors 1249 Englebert Rd., Baltimore, Md. 21221			
<b>PLAN TO ACCOMPANY VARIANCE HEARING</b>  <b>FOR</b>  <b>*1425 SUSSEX ROAD</b>  BALTIMORE COUNTY, MARYLAND			
	1 SHEET 1 OF 1	SCALE 1" = 20'	JOB ORDER NO. 90060
		DATE JAN. 16, 1991	
		NO. REVISIONS DATE	

285



D.R. 5.5



SCALE  
1" = 200' ±

LOCATION

SHEET

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

BACK RIVER NECK

S.E.  
1-1

91-317-A

BALTIMORE COUNTY  
OFFICE OF PLANNING AND ZONING  
AERIAL PHOTOGRAPHIC MAP

SCALE  
1" = 200' ±

LOCATION

SHEET

DATE  
OF  
PHOTOGRAPHY  
JANUARY  
1986

BACK RIVER NECK

S.E.  
1-1

91-317-A